



Miami-Dade Board of County Commissioners
Office of the Commission Auditor

Infrastructure and Utilities Committee (IUC) Meeting

November 14, 2017
9:30 A.M.
Commission Chambers

Thomas B. Davis, Esq
Director, Policy and Legislation
Office of the Commission Auditor
111 N.W. First Street, Suite 1030
Miami, FL 33128
(305) 375-2524

**IUC Meeting: November 14, 2017
Research Notes**

Item No. 3G

File No. 172467

Researcher: NR Reviewer: TD

RESOLUTION AMENDING RESOLUTION NO. R-84-09 TO RESCIND \$524,811.61 OF THE ALLOCATION TO UDG III OASIS, LLC FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 249 - "PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP" AND APPROVING ALLOCATION OF \$524,811.61 OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 249 FUNDS TO YWCA OF GREATER MIAMI-DADE, INC. FOR THE DEVELOPMENT OF SENIOR AFFORDABLE HOUSING TO BE LOCATED IN COMMISSION DISTRICT 1

ISSUE/REQUESTED ACTION

Whether the Board should amend Resolution No. R-84-09 to rescind \$524,811.61 of Building Better Communities General Obligation Bond Program allocation from UDG III Oasis, LLC and approve an allocation of \$524,811.61 to the YWCA Of Greater Miami-Dade, Inc.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-84-09 dated January 22, 2009, approved a District 1 allocation of \$3,092,307.00 (Grant) from Project No. 249– Preservation of Affordable Housing Units and Expansion of Home Ownership of the Building Better Communities General Obligation Bond Program to UDG III Oasis, LLC.

Resolution No. R-84-09

<http://intra/gia/legistarfiles/MinMatters/Y2008/083606min.pdf>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Barbara J. Jordan

Pursuant to Resolution No. R-918-04 (the Affordable Housing Resolution) dated July 26, 2004, the voters approved the issuance of general obligation bonds in a principal amount not to exceed \$194,997,000 to construct and improve affordable housing for the elderly and families.

FISCAL IMPACT

No Fiscal Impact is stated in the item

ANALYSIS

This resolution proposes to amend Resolution No. R-84-09 to rescind \$524,811.61 of the allocation from UDG III Oasis, LLC, and approve an allocation of \$524,811.61 to YWCA of Greater Miami-Dade, Inc.

The unspent Grant proceeds (\$524,811.61) deemed unnecessary for the completion of the Lake Vue Oasis Project are proposed to be allocated to the YWCA Of Greater Miami-Dade, Inc. for the development of senior affordable housing to serve the residents of Commission District 1.

The Grant allocation of \$3,092,307 to UDG III Oasis, LLC was for the construction of Lake Vue Oasis Project and was for affordable single family residences the for low and moderate income families.

**IUC Meeting: November 14, 2017
Research Notes**

Item Nos. 3A, 3B, 3C, 3D, 3E, 3F

File No. 172439, 172443, 172446, 172448, 172450, 172451

Researcher: SAP Reviewer: TD

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 35 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, **MIAMI-DADE COUNTY AS ASSIGNEE, AND A. SATTAUR GAFOOR AS SELLER FOR A PURCHASE PRICE OF \$175,000.00** USING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AUTHORIZING USE OF ENVIRONMENTALLY ENDANGERED LANDS ACQUISITION TRUST FUND FOR THIS PURCHASE IN THE EVENT BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS ARE NOT AVAILABLE; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE ASSIGNMENT OF OPTION TO PURCHASE AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN; AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO RECORD IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY THE INSTRUMENT OF CONVEYANCE AS REQUIRED BY RESOLUTION NO. R-974-09

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, **MIAMI-DADE COUNTY AS ASSIGNEE, AND LEOPOLD N. BONITTO AND PURA OAKLEY BONITTO AS SELLERS FOR A PURCHASE PRICE OF \$22,500.00** USING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AUTHORIZING USE OF ENVIRONMENTALLY ENDANGERED LANDS ACQUISITION TRUST FUND FOR THIS PURCHASE IN THE EVENT BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS ARE NOT AVAILABLE; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE ASSIGNMENT OF OPTION TO PURCHASE AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN; AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO RECORD IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY THE INSTRUMENT OF CONVEYANCE AS REQUIRED BY RESOLUTION NO. R-974-09

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 10 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, **MIAMI-DADE COUNTY AS ASSIGNEE, AND IRA S. SILVER, INDIVIDUALLY AND AS TRUSTEE AS SELLER FOR A PURCHASE PRICE OF \$45,000.00** USING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AUTHORIZING USE OF ENVIRONMENTALLY ENDANGERED LANDS ACQUISITION TRUST FUND FOR THIS PURCHASE IN THE EVENT BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS ARE NOT AVAILABLE; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE ASSIGNMENT OF OPTION TO PURCHASE AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN; AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO RECORD IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY THE INSTRUMENT OF CONVEYANCE AS REQUIRED BY RESOLUTION NO. R-974-09

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, **MIAMI-DADE COUNTY AS ASSIGNEE, AND CARLOS L. FERNANDEZ, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JAVIER J. FERNANDEZ, AS SELLER FOR A PURCHASE PRICE OF \$22,500.00** USING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AUTHORIZING USE OF ENVIRONMENTALLY ENDANGERED LANDS ACQUISITION TRUST FUND FOR THIS PURCHASE IN THE EVENT BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS ARE NOT AVAILABLE; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE ASSIGNMENT OF OPTION TO PURCHASE AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN; AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO RECORD IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY THE INSTRUMENT OF CONVEYANCE AS REQUIRED BY RESOLUTION NO. R-974-09

**IUC Meeting: November 14, 2017
Research Notes**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, **MIAMI-DADE COUNTY AS ASSIGNEE, AND JUAN MANUEL HERNANDEZ AKA JUAN MANUEL HERNANDEZ, JR AS SELLER FOR A PURCHASE PRICE OF \$25,000.00** USING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AUTHORIZING USE OF ENVIRONMENTALLY ENDANGERED LANDS ACQUISITION TRUST FUND FOR THIS PURCHASE IN THE EVENT BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS ARE NOT AVAILABLE; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE ASSIGNMENT OF OPTION TO PURCHASE AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN; AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO RECORD IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY THE INSTRUMENT OF CONVEYANCE AS REQUIRED BY RESOLUTION NO. R-974-09

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, **MIAMI-DADE COUNTY AS ASSIGNEE, AND JACINTO I. FERNANDEZ OR NORMA M. FERNANDEZ, TRUSTEES OF THE FERNANDEZ TRUST DATED NOVEMBER 4, 2011, AS SELLER FOR A PURCHASE PRICE OF \$22,500.00** USING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AUTHORIZING USE OF ENVIRONMENTALLY ENDANGERED LANDS ACQUISITION TRUST FUND FOR THIS PURCHASE IN THE EVENT BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS ARE NOT AVAILABLE; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE ASSIGNMENT OF OPTION TO PURCHASE AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN; AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO RECORD IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY THE INSTRUMENT OF CONVEYANCE AS REQUIRED BY RESOLUTION NO. R-974-09

ISSUE/REQUESTED ACTION

Whether the Board should approve resolutions to accept the "Assignment of Option to Purchase" as negotiated by The Nature Conservancy for the Environmentally Endangered Lands (EEL) Program for purchase price to the sellers as follows:

Seller	Appraised Value	Acre(s)
Sattur Gafoor	\$210,000.00	35
Leopold N. Bonitto and Putra Oakley Bonitto	\$ 30,000.00	5
Ira S. Silver (individually and as trustee)	\$ 60,000.00	10
Carlos L. Fernandez (individually and as personal representative of Estate of Javier J. Fernandez	\$ 30,000.00	5
Juan Manuel Hernandez	\$ 30,000.00	5
Jacinto I. Fernandez or Norma M. Fernandez (trustees of the Fernandez Trust)	\$ 30,000.00	5

APPLICABLE LEGISLATION/POLICY

Resolution No. R-974-09: County interest in real property be recorded in public records of Miami-Dade County.
<http://intra/gia/legistarfiles/MinMatters/Y2009/091900min.pdf>

FISCAL IMPACT

Building Better Communities General Obligation Bond (BBC-GOB) Program funding under Project No 2. Site #70230 will be used for all six purchases. As of September 30, 2017, the remaining balance under the BBC-GOB

IUC Meeting: November 14, 2017
Research Notes

Program for allocations towards EEL acquisitions is \$11,308,299. The negotiated price for each purchase is as follows:

1. Sattaur Gafoor – \$175,000
2. Leopold N. Bonitto and Putra Oakley Bonitto - \$22,500
3. Ira S. Silver - \$45,000
4. Carlos L. Fernandez – \$22,500
5. Juan Manuel Hernandez – \$25,000
6. Jacinto I. Fernandez or Norma M. Fernandez - \$22,500

ANALYSIS

These six items seek approval of resolutions to accept the “Assignment of Option to Purchase” and also authority to EEL acquisition trust fund for the purchases in the event BBC-GOB funds are not available. All six parcels are located in District 9 and are outside the Urban Development Boundary.

The South Dade Wetlands Project Area contains the most important wetland system in the southern part of Miami Dade. Public agencies have targeted the area for acquisition because of the wetland’s strategic location between two national parks Everglades National Park and Biscayne National Park in the watersheds of Florida Bay, Biscayne Bay, Card Sound and Barnes Sound and because of the importance of the region to endangered and threatened species. These wetlands are home to many of South Florida’s endangered species.

The EEL program, administered by the Regulatory and Economic Resources, focuses on the protection and conservation of endangered lands. The purpose of the EEL Program is to acquire, preserve, enhance, restore, conserve and maintain environmentally-endangered lands for the benefit of present and future generations. The EEL Program and its partners have brought more than 20,700 acres of environmentally endangered lands into public ownership since 1990. Additionally, the EEL Program manages 2,800 acres of natural lands within Miami-Dade County Parks, for a total of more than 23,500 acres protected.

**IUC Meeting: November 14, 2017
Research Notes**

Item No.: 3G

File No.: 172400

Researcher: NR Reviewer: TD

RESOLUTION AUTHORIZING ACCEPTANCE OF WARRANTY DEED FOR DONATION OF APPROXIMATELY 0.47 ACRE OF REAL PROPERTY WITHIN THE R. HARDY MATHESON ADDITION PROJECT FROM RIVERSIDE PARK INVESTORS, LLC TO MIAMI-DADE COUNTY FOR THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM; AUTHORIZING THE PAYMENT OF CLOSING COSTS NOT TO EXCEED \$5,000.00 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; THANKING RIVERSIDE PARK INVESTORS, LLC FOR SAID DONATION; AUTHORIZING USE OF ENVIRONMENTALLY ENDANGERED LANDS ACQUISITION TRUST FUND FOR CLOSING COSTS IN THE EVENT BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS ARE NOT AVAILABLE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ANY ACTIONS NECESSARY TO EFFECTUATE THE ACCEPTANCE OF THE DONATION(Regulatory and Economic Resources)

ISSUE/REQUESTED ACTION

Whether the Board should authorize acceptance of a donation of approximately 0.47 acres of wetlands to the Miami-Dade County Environmentally Endangered Lands (EEL) Program.

APPLICABLE LEGISLATION/POLICY

This property is located within the R. Hardy Matheson Addition EEL Acquisition Project, which was placed on the EEL Priority A Acquisition List by Resolution No. R-660-96 dated June 18, 1996.

PROCEDURAL HISTORY

Prime Sponsor: Xavier L. Suarez

The Environmentally Endangered Lands Program (EEL) identifies and secures these lands for preservation per the requirements and conditions set forth by Chapter 25B-11 of the Miami-Dade County Code, Section 193.501, Florida Statutes and Section 4(b), Article VII of the Constitution of the State of Florida.

Chapter 25B-11 of the Miami-Dade County Code

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH25BPAREGE_ARTIISTACCOUSSCOUREPA_PUCONOUSLAOTSUPU](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH25BPAREGE_ARTIISTACCOUSSCOUREPA_PUCONOUSLAOTSUPU)

Florida Statutes Section 193.501

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0193/0193.html

Article VII of the Constitution of the State of Florida

<http://www.leg.state.fl.us/Statutes/index.cfm?Mode=Constitution&Submenu=3&Tab=statutes#A7S04>

FISCAL IMPACT

The land being donated to the EEL Program has a 2016 tax assessed value of \$220,801. The proposed resolution authorizes the expenditure of up to \$5,000 for closing costs. As of August 31, 2017, the remaining balance under the BBC-GOB Program for allocations towards EEL acquisitions is \$11,308,299.00.

**IUC Meeting: November 14, 2017
Research Notes**

If BBC-GOB Program funds are not available, the EEL Acquisition Trust Fund may be used for the closing costs on the property. As of August 31, 2017, the balance of the EEL Trust Fund (GF 080) is \$35,312,329.93, of which \$22,054,264.30 is reserved for acquisition and \$13,258,065.63 is reserved for management.

ANALYSIS

This resolution proposes acceptance of the warranty deed for donation of approximately 0.47 acres of wetlands within R. Hardy Matheson Addition Project from Riverside Park Investors, LLC to Miami-Dade County for the Environmentally Endangered Lands (EEL) Program. It also authorizes the payment of closing costs not to exceed \$5,000.00.

The parcel proposed for donation is an important wetland system in the southern part of the County. The R. Hardy Matheson Addition EEL Preserve provides a contiguous buffer to Biscayne Bay and enhances the northernmost extent of one of the last large undeveloped tracts of coastal wetlands in Miami-Dade County. This parcel will buffer and facilitate protection of the resources within the EEL Preserve.

The purpose of the EEL Program is to acquire, preserve, enhance, restore, conserve and maintain environmentally endangered lands for the benefit of present and future generations. Additionally, preserving and maintaining these wetlands is important to protect against salt water intrusion of the Biscayne Aquifer. Further, these wetlands are important to the endangered and threatened species of the region and the acceptance of this parcel is consistent with the Sea Level Rise Task Force Recommendations for the continued strategic implementation of the EEL Program.

The EEL Program is Countywide in nature. The land being donated is located in Commission District 7, represented by Commissioner Xavier Suarez.

**IUC Meeting: November 14, 2017
Research Notes**

Item No. 3H

File No. 172376

Researcher: NR Reviewer: TD

RESOLUTION APPROVING AN INTERLOCAL AGREEMENT FOR STORMWATER MANAGEMENT BETWEEN THE TOWN OF CUTLER BAY AND THE MIAMI-DADE COUNTY STORMWATER UTILITY FOR A TERM OF FIVE (5) YEARS AND PROVIDING THAT THE TOWN OF CUTLER BAY SHALL REIMBURSE THE MIAMI-DADE COUNTY STORMWATER UTILITY IN AN AMOUNT UP TO \$580,350.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ANY TERMINATION PROVISIONS AND ALL OTHER RIGHTS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize the County Mayor or County Mayor's designee to execute an Interlocal Agreement for Stormwater Management between the Town of Cutler Bay and the Miami-Dade County Utility. The term of this five-year Agreement is October 1, 2017 to September 30, 2022.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-922-12 dated November 8, 2012 approved a five-year interlocal agreement with Cutler Bay, and through that agreement Cutler Bay has reimbursed the County for Cutler Bay's share of canal maintenance costs incurred by the County after October 1, 2012 and expired September 30, 2017.

Resolution No. R-922-12

<http://intra/gia/legistarfiles/MinMatters/Y2012/121955min.pdf>

PROCEDURAL HISTORY

Prime Sponsor: NONE

On June 18, 1991, the Board adopted Ordinance No. 91-66, creating the Miami-Dade County Stormwater Utility and establishing a uniform approach to stormwater management. Stormwater utility fees collected in Miami-Dade County provide the funding for stormwater management, which includes the construction, operation and maintenance of stormwater conveyance systems.

On December 19, 2007, the Town of Cutler Bay Council adopted Ordinance No. 07-29, creating stormwater management regulations within their municipal code and establishing their own stormwater utility as its funding source.

On April 2, 2008, the Town of Cutler Bay signed a five (5) year interlocal agreement with the Miami-Dade County Stormwater Utility that expired September 30, 2012.

FISCAL IMPACT

The County's cost will be funded through the County's Stormwater Utility fees. Cutler Bay shall reimburse the County up to \$116,070 per year and up to a total of \$580,350 over the five-year term of the Agreement..

Stormwater Utility fees provide funding for the construction, operation, and maintenance of stormwater conveyance systems. Canals operated and maintained by the County provide drainage service to the County and municipalities, but remain the responsibility of the County.

**IUC Meeting: November 14, 2017
Research Notes**

The total annual cost of routine canal maintenance work to be performed by the County on secondary canals that serve Cutler Bay is estimated at \$135,600 per year or \$678,000 for the five-year term. Pursuant to this Agreement, Cutler Bay shall reimburse the County based on Cutler Bay's runoff contribution to each canal drainage basin, as depicted in Attachment A of the Agreement (Drainage Area Map and Percent Share Table).

ANALYSIS

The proposed resolution will allow the County reimbursement for canal maintenance services performed by the County on canals providing drainage to Cutler Bay. The proposed Interlocal Agreement will be retroactive to October 1, 2017 and expire September 30, 2022.

The County is responsible for operating and maintaining the Secondary Canal System throughout the entire geographical area of the County. The canals included in the Agreement provide drainage and flood protection to residents and properties within Cutler Bay.

County-owned canals that provide drainage service to the Town of Cutler Bay and its residents remain the property and responsibility of the County. The costs to maintain the County's canals that provide a drainage benefit to the Town can be shared between the County and the Town through an interlocal agreement, which can establish the responsibilities for the operation, maintenance and cost-sharing of stormwater systems.

**IUC Meeting: November 14, 2017
Research Notes**

Item No.3I

File No. 172262

Researcher: SAP Reviewer: TD

RESOLUTION RATIFYING THE COUNTY MAYOR'S ACTION OF ENTERING INTO A MOSQUITO SUPPRESSION SERVICES AGREEMENT WITH MOSQUITOMATE, INC. IN THE AMOUNT OF \$4,100,000.00 DURING THE BOARD OF COUNTY COMMISSIONERS' 2017 SUMMER RECESS AND AUTHORIZING THE EXECUTION OF CERTAIN AMENDMENTS TO THE AGREEMENT

ISSUE/REQUESTED ACTION

Whether the Board should ratify the County Mayor's action of entering into a Mosquito Suppression Services Agreement with Mosquitomate, Inc. (for the Wolbachia Project), in the amount of \$4,100,000.00 during the BCC 2017 Summer Recess.

APPLICABLE LEGISLATION/POLICY

Ordinance No 12-92 - establishing exception to the Committee review requirements for items approving or ratifying grant applications or acceptances.

<http://intra/gia/legistarfiles/Matters/Y2012/122085.pdf>

Resolution No. 104-17-14905 (City of South Miami) granting the County permission to pilot the Wolbachia program. (Attached)

FISCAL IMPACT

FDOH has approved a Statement of Work for the project with a funding set-aside of \$4.1 million through July 31, 2018. No County funds will be used for the Wolbachia Project.

ANALYSIS

The purpose of the item is to allow the County to enter into the Mosquito Suppression Services Agreement for the Wolbachia Project in the City of South Miami. If the project is effective, Wolbachia infected mosquitoes may be used in the future for mosquito suppression countywide.

With the spread of the Zika virus in 2016, the department of Solid Waste Management (DSWM), through Mosquito Control, partnered with other agencies to review new and emerging technologies to reduce the Aedes aegypti mosquito population. The introduction of Wolbachia infected males can completely eliminate the target mosquito population in a given area. The US Environmental Protection Agency (EPA) issued Experimental Use Permit No. 89668-EUP-3 to the patent holder, MosquitoMate for the release of Wolbachia infected mosquitoes in Miami-Dade County through December 31, 2018.

MosquitoMate, Inc., is a privately-held biotechnology company, based in Lexington, Kentucky. MosquitoMate's leadership and scientific teams are recognized worldwide for their innovation in mosquito control and for their ability to deliver biotechnology-based solutions for mosquito abatement districts, municipalities and consumers. How the technology works is that MosquitoMate rears male mosquitoes infected with the Wolbachia bacterium, which renders them unable to produce offspring. When released, the Wolbachia mosquitoes will compete with wild males for mates. Each time an infected male wins, procreation will fail. The resulting eggs do not hatch, decreasing your biting mosquito population. Our technology only impacts mosquitoes and does not harm or affect other insects, including bees and butterflies.

**IUC Meeting: November 14, 2017
Research Notes**

<http://mosquitomate.com/about-us/>

Excerpt from USA Today: *The key to wiping out mosquitoes might just be more mosquitoes. Lab-grown, infected mosquitoes.* November 9, 2017

The Environmental Protection Agency last week approved the use of "Zap Males," lab-grown mosquitoes infected with a natural pesticide able to reduce an area's population of *Aedes albopictus*, a mosquito that carries the Zika virus. Now golf courses, hotels and homeowners in 20 states and Washington, D.C. will be able to release the Zap Males on their property purchased from MosquitoMate, the Kentucky-based company behind them. Mosquitomate's approval lets it sell its mosquitoes for five years in D.C., California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Massachusetts, Maine, Maryland, Missouri, New Hampshire, New Jersey, Nevada, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, and West Virginia.

<https://www.usatoday.com/story/news/nation-now/2017/11/09/these-lab-grown-mosquitoes-kill-off-other-mosquitoes-and-now-theyre-legal-us/848108001/>

Is Wolbachia Safe ?

The National Environment Agency (NEA), a leading public organization responsible for improving and sustaining a clean and green environment in Singapore, has conducted a comprehensive risk assessment of *Wolbachia* technology and has determined it to be safe, with *no risk to human health and insignificant risk to ecology*. The conclusion is consistent with other international findings. NEA's long evaluation process involved critical reviews of existing knowledge and research, and consultations with various overseas and local experts, and stakeholders such as academic researchers, medical and healthcare professionals and non-governmental organizations (NGOs).

<http://www.nea.gov.sg/public-health/environmental-public-health-research/wolbachia-technology/wolbachia-is-safe>

Additional Zika Related Links

Gov. Scott Announces Grant Funding for Zika Virus Research and Vaccine Development

<http://www.flgov.com/2017/02/01/gov-scott-announces-grant-funding-for-zika-virus-research-and-vaccine-development/>

Governor's budget proposes more scientists, research to fight Zika virus

<http://www.miamiherald.com/news/health-care/article129810939.html>

As Zika season looms, Senate panel approves \$100 million in mosquito control funding

<http://www.miamiherald.com/news/health-care/article146891514.html>

RESOLUTION NO. 104-17-14905

A Resolution accepting the offer by Miami-Dade County to conduct field tests in South Miami of a novel and safe method for controlling the mosquito species that carries Zika.

WHEREAS, the City Commission desires to protect its citizens from mosquito-borne disease; and

WHEREAS, the mosquito borne viruses Zika, Dengue, and Chikungunya have been transmitted by mosquito bites in Miami-Dade County; and

WHEREAS, these diseases are transmitted by the West African mosquito species *Aedes aegypti* that is particularly common in South Miami; and

WHEREAS, the population of *Aedes aegypti* in Miami-Dade County has evolved resistance to many insecticides, including the ones most commonly used to control mosquitoes; and

WHEREAS, a novel and safe method of mosquito control the release of non-biting male mosquitoes that carry *Wolbachia pipientis*, a bacterium that resides only inside the cells of mosquitoes; and

WHEREAS, Miami-Dade County has offered to pay for the releases in South Miami and conduct follow-up studies in cooperation with the Centers for Disease Control (CDC) at no cost to the City of South Miami; and

WHEREAS, experts at the University of Miami's Miller School of Medicine and Florida International University's Dept. of Biological Sciences have reviewed the County's proposal and recommend, with no reservations, that South Miami accept the County's offer; and

WHEREAS, the mosquito season is beginning, Zika is expected to recur in Miami-Dade County this summer, and we have no time to waste.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, THAT:

Section 1. The City Commission hereby grants Miami-Dade County permission to contract for field releases of non-biting male mosquitoes carrying *Wolbachia pipientis*, and to conduct field studies inside the City limits of South Miami in 2017-2019.

Section 2. This agreement can be cancelled by either party at any time with written notification.

Section 3. If any section clause, sentence, or phrase of this resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this resolution.


Section 4. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 16th day of May, 2017.

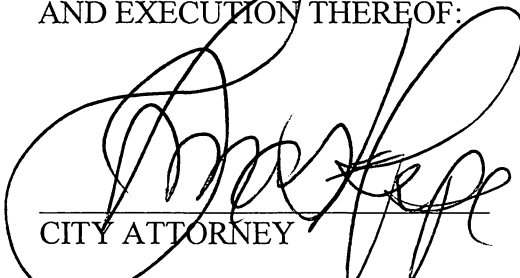
ATTEST:


CITY CLERK

APPROVED:


MAYOR

READ AND APPROVED AS TO FORM,
LANGUAGE, LEGALITY,
AND EXECUTION THEREOF:


CITY ATTORNEY

COMMISSION VOTE	5-0
Mayor Stoddard:	Yea
Vice Mayor Welsh:	Yea
Commissioner Edmond:	Yea
Commissioner Harris:	Yea
Commissioner Liebman:	Yea



Office of the Mayor

10 May 2017

To: Members of the City Commission and City Manager Steven Alexander

From: Philip K. Stoddard, Ph.D., Mayor

Re: Miami-Dade County offer to test mosquito control with a novel and safe method

Miami-Dade County has asked whether South Miami would host the initial 2017-18 field trials of a recently developed method for suppressing populations of *Aedes aegypti*, the mosquito species that can carry and transmit the Zika virus.

The proposed method involves the release of **non-biting** male mosquitoes that mate with the local females, but are rendered reproductively incompatible by a symbiotic bacterium, *Wolbachia pipientis*, residing inside their cells. The resulting eggs fail to hatch, and the mosquito population is reduced. The method is biologically safe. Male mosquitoes subsist on flower nectar and do not bite people or other animals. *Wolbachia pipientis* resides only in the cells of mosquitoes and cannot infect humans or other animals. No transgenic methods are involved.

Under this plan, Miami-Dade County would pay for the releases of non-biting, male mosquitoes with *Wolbachia* and County staff would collect field data to determine the efficacy of this method for reducing the local populations of *Aedes aegypti* mosquitoes.

I sent the County's proposal to two colleagues for their review. Dr. John Beier, is Chief of the Division of Environment & Public Health in the Department of Public Health Sciences at University of Miami's Miller School of Medicine. Dr. Beier is an expert on the control of mosquito-borne disease and serves as Editor of the preeminent scientific journal on disease and public health in the tropics and subtropics. Dr. Matt DeGennaro works in the Department of Biological Sciences at Florida International University and studies the genetic attraction of the *Aedes aegypti* mosquito to humans. Dr. DeGennaro is funded by the Centers for Disease Control to develop methods for controlling Zika in Miami. Both scientists are working with me on a project funded by the Rockefeller Foundation to eliminate Zika from Miami-Dade County. Both Dr. Beier and Dr. DeGennaro have enthusiastically recommend that South Miami steps up to become the first municipality in Miami-Dade County to conduct field trials to determine whether this this safe method of mosquito control can effectively reduce their populations to a level that cannot transmit disease.

I concur with the assessment of these experts. This offer presents only benefits to the residents of South Miami and has the potential to save lives with no downside to our residents. I strongly recommend that South Miami accepts the County's generous offer.

Rewriting Life

Altered Mosquitoes Quietly Tested in the U.S.

Bacteria-laden mosquitoes produce offspring that die quickly. China and the U.S. are releasing millions into the wild.

by Antonio Regalado March 17, 2016



Genetically modified mosquitoes are all the rage these days. Tests are under way in Brazil to see if they can help fight off dengue fever and Zika virus, and a trial could soon start in Florida if opponents don't stop it.

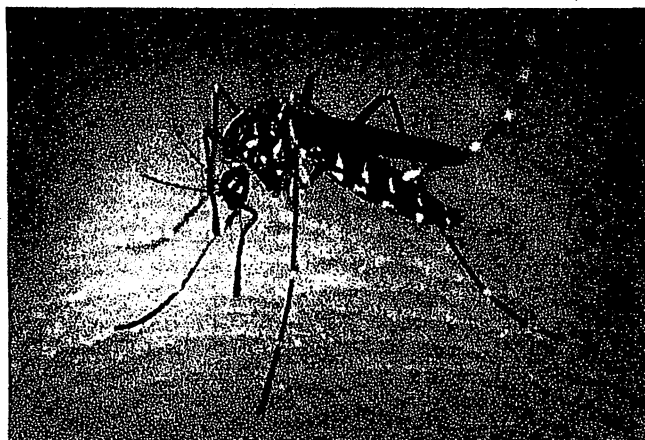
What fewer people know is that there's a different kind of altered mosquito—one that doesn't carry the "genetically modified" label—that's already being

tested out in the open in the U.S. and China.

These insects carry a type of bacteria, *Wolbachia*, that effectively renders them sterile. Release enough of them (usually millions, and usually males, because they don't bite) and the wild population can dwindle. Think of it as birth control for bugs.

In the U.S., the insects are being developed by a Kentucky startup called Mosquito Mate, which has already released them in Los Angeles and has trials planned this summer in New York, Florida, and Kentucky.

A similar technology is also being used in China, where researchers now operate what may be the world's largest mosquito factory. As of last year, four production units at the factory totaling 38,000 square feet were able to breed and release over a million mosquitoes a week, according to Zhiyong Xi of Michigan State University, who is involved in the project.



A tiger mosquito.

Both of these efforts target the Asian tiger mosquito, *Aedes albopictus*, an aggressive bug that's been expanding its territory and which can transmit dengue fever. The mosquito is blamed for an outbreak of dengue in Hawaii that caused health officials to declare a state of emergency in February. It's also spreading dengue around Guangzhou, China.

Stephen Dobson, Mosquito Mate's president and also a professor of entomology at the University of Kentucky, says that in the continental U.S. the bugs are being targeted mostly because they are "a nuisance."

Albopictus are known to spread animal

diseases, like dog heartworm and equine encephalitis, and there's a risk they could spread other viruses, like Zika, whose recent emergence as a problem in the Americas has put a spotlight on new mosquito-control techniques.

On March 11, for instance, the U.S. Food and Drug Administration moved a step closer to allowing genetically modified mosquitoes developed by the company Oxitec to be tested in Florida. Just like the *Wolbachia*-carrying bugs, genetically modified mosquitoes also waste females' time by producing offspring that die quickly.

The Oxitec insects are currently being used to protect part of one city in Brazil and have gotten lots of attention.

By contrast, Mosquito Mate's bugs have been released with hardly any public comment because they don't have altered DNA. Instead, they're regulated by the Environmental Protection Agency as "biopesticides," says Dobson. He said the company has an

experimental permit from the EPA to try the bugs, though they are not yet for sale.

“If you can do the same thing without saying GMO, it’s better,” says Guy Reeves, a molecular biologist at the Max Planck Institute for Evolutionary Biology, in Germany. “These guys got regulatory approval in six months, whereas the regulators sat on Oxitec’s application for three years.”

In the projects in China and the U.S., males get infected with a different version of the bacteria than wild females have. That creates an incompatibility that makes their copulation fruitless.

Any tactic using sterile insects needs to involve the release of a lot of males—typically, several times more than the number of mosquitoes in nature. It quickly adds up to millions of bugs. Dobson says Mosquito Mate can make a million a week right now, and could easily increase the number.

These *Wolbachia* mosquitoes shouldn't be confused with another kind that's been backed by the Gates Foundation and is being tested in Colombia and other countries. In that case, *Aedes aegypti* mosquitoes are getting infected with a different strain of the bacteria that doesn't sterilize them, but instead makes it so that they can't transmit dengue or Zika anymore.

Tech Obsessive?
Become an Insider to get
the story behind the story —
and before anyone else.
Subscribe today →

More from Rewriting Life

Reprogramming our
bodies to make us
healthier.

01



Mind.
Read
Algor
Reco
What
You're
Seeir
Isinc

**IUC Meeting: November 14, 2017
Research Notes**

Item No. 3J

File No. 172206

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$1,275,000 FOR SALE AND PURCHASE BETWEEN ERFURT AS SELLER AND MIAMI-DADE COUNTY, AS BUYER, OF APPROXIMATELY 19 ACRES OF VACANT LAND LOCATED ON THE SOUTHWEST CORNER OF THEORETICAL SW 145TH AVENUE AND THEORETICAL SW 2ND STREET IN UNINCORPORATED MIAMI-DADE COUNTY TO BE UTILIZED IN CONNECTION WITH THE COUNTY'S OCEAN OUTFALL COMPLIANCE PLAN; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT, EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN, TO TAKE ALL OTHER ACTIONS NECESSARY TO EFFECTUATE SAID PURCHASE AND ACCEPT CONVEYANCE OF PROPERTY BY WARRANTY DEED; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECORD SUCH DEED

ISSUE/REQUESTED ACTION

Whether the Board should approve a contract in the amount of \$1,275,000.00 for sale and purchase of approximately 19 acres of vacant land between the County and Erfurt.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-974-09: County interest in real property be recorded in public records of Miami-Dade County.
<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2009/091900min.pdf>

Florida Statutes Section 403.086(9)(e)2 – Public Health - Environmental Controls

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0400-0499/0403/Sections/0403.086.html

FISCAL IMPACT

The property was appraised by a state-certified appraiser at the negotiated sale price of \$1,275,000 on August 24, 2017. The funding source are Wastewater Connection Charges, Water and Sewer Department Revenue Bonds, State Revolving Loan and Future Revenue Bonds.

ANALYSIS

This item seeks approval of a resolution to approve a contract in the amount of o \$1,275,000.00 for sale and purchase between the County and Erfurt of approximately 19 acres of vacant land located in District 12, on the SW corner of Theoretical SW 145th Avenue and theoretical SW 2nd Street in unincorporated Miami-Dade County, to be utilized in connection with the County's Ocean Outfall Compliance Plan. The Ocean Outfall Legislation (OOL) affects Miami-Dade Water and Sewer Department (WASD).

Ocean Outfall Legislation Compliance Plan

The OOL law requires that all wastewater utilities in southeast Florida cease using the outfalls by 2025, and reuse 60% of the wastewater flows by 2025. The law also mandates a minimum amount of reclaimed water reuse and nutrients reductions prior to 2025.

The County's Ocean Outfall Legislation Program is monitored by WASD. WASD's Compliance Plan 2016 Update on Reclaimed Water Reuse Projects noted that WASD recognizes that the projected 2034 water supply demands can be met by using the Florian aquifer, an alternative source, without adverse impacts to other users and the environment. With the recent drop in water demand, then need to recharge the aquifer no longer exists.

IUC Meeting: November 14, 2017
Research Notes

The subject property will be utilized in connection with the County's Compliance Plan in order to handle some of the wastewater flows currently going to the coast plants, the North and Central District Wastewater Treatment Plants, as well as flows related to growth projected to 2035.

**IUC Meeting: November 14, 2017
Research Notes**

Item No. 3K

File No. 172423

Researcher: NR Reviewer: TD

RESOLUTION APPROVING ADDENDUM NUMBER ONE TO AGREEMENT BETWEEN MIAMI-DADE COUNTY AND D.R. HORTON, INC. FOR WATER AND SANITARY SEWER FACILITIES, FOR A TERM OF 365 DAYS, WHICH ADDENDUM ELIMINATES REQUIREMENT THAT D.R. HORTON, INC. CONSTRUCT A NEW PUBLIC REGIONAL PUMP STATION AND INSTEAD REQUIRES D.R. HORTON, INC. TO CONTRIBUTE \$186,439.58 FOR ITS PRO-RATA SHARE OF THE COSTS OF UPGRADING COUNTY-OWNED PUMP STATION NO. 1018; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND EXERCISE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve Addendum Number One to Agreement for Water and Sanitary Sewer Facilities between Miami-Dade County and D.R. Horton, Inc.” (Addendum Number One) for the “AH at Turnpike Second Addition” development project. Addendum Number One modifies the original sewer service requirements for the development project to connect to the County’s sewer system.

APPLICABLE LEGISLATION/POLICY

N/A

PROCEDURAL HISTORY

Prime Sponsor: Dennis Moss

On May 1, 2015, an agreement was entered into between Miami-Dade County and Adrian Developers of De La Fuente Parcel, LLC (Adrian).

The Agreement required Adrian Developers to design, construct and install a new public regional sewage pump station in order to connect its 180-single family home project to the County’s sewer system. Subsequently, it was determined that WASD’s Pump Station (PS) 1018 could accept the flows generated by the Adrian project if improvements were constructed within the current PS 1018 basin area. Adrian and WASD agreed to improve PS 1018 with the condition that the property owner (Adrian) would contribute toward the costs of the upgrade.

However, the land was sold to D.R. Horton, Inc. while the project was under construction by Adrian. D.R. Horton, Inc., the new property owner through an Assignment dated August 11, 2017, took over responsibility for the Agreement with the County.

FISCAL IMPACT

In order to design, construct and install the upgrades to PS 1018, there will be a fiscal impact to the County. Based on WASD’s project estimate, the total project cost is estimated to be \$1,537,877. D.R. Horton, Inc. will pay twelve percent of the total costs (\$186,439.58). This financial contribution is based on the projected flows, as determined by hydraulic modeling performed by WASD of the D.R. Horton project.

This pump station upgrade project is budgeted under OMB project number 9650371, Lift Station Upgrades and Structural Maintenance Improvements, Adopted Budget Book FY2016-17. The funding sources are a combination of Future WASD Revenues Bonds, WASD Revenue Bonds Sold and the Wastewater Renewal Fund.

**IUC Meeting: November 14, 2017
Research Notes**

ANALYSIS

This resolution proposes Addendum Number One to Agreement for Water and Sanitary Sewer Facilities between Miami-Dade County and D.R. Horton, Inc. Addendum Number One modifies the original sewer service requirements for the development project to connect to the County's sewer system.

Addendum Number One eliminates the requirement that D.R. Horton, Inc. build a new public regional pump station and instead requiring D.R. Horton, Inc. contribute its pro-rata share of the costs needed for the County to upgrade County-owned Pump Station No. 1018 (PS 1018).

PS 1018 provides sewer service for D.R. Horton, Inc.'s new 180-single-family home residential project as well as other future development projects to be constructed in the area served by PS 1018.

The County will benefit from the elimination of the construction of a new public regional pump station because it will not have to assume the costs associated with the operation and maintenance of a new public regional pump station

D.R. Horton, Inc.'s project is located in District 9, represented by Commissioner Dennis Moss.

**IUC Meeting: November 14, 2017
Research Notes**

Item No. 3L

File No. 172441

Researcher: SAP Reviewer: TD

RESOLUTION AUTHORIZING SALE AND TRANSFER OF OWNERSHIP OF MIAMI-DADE COUNTY WATER FACILITIES VALUED AT \$416.75 TO REDBIRD SHOPPING CENTER, L.L.C. PURSUANT TO THE PROVISIONS OF SECTION 274.06, FLORIDA STATUTES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO SELL AND TRANSFER SAID WATER FACILITIES

ISSUE/REQUESTED ACTION

Whether the Board should approve the sale and transfer of ownership of Water Facilities valued at \$416.75 to Redbird Shopping Center, LLC (The Shopping Center).

APPLICABLE LEGISLATION/POLICY

Florida Statute Section 274.06, governing Public Lands and Property – Tangible Property Owned by Local Government.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0274/Sections/0274.06.html

FISCAL IMPACT

This sale and transfer of ownership is a positive impact to the County. The County will not lose any revenue as a result of the sale and transfer.

ANALYSIS

The purpose of the item is to approve sale and transfer of ownership of water facilities, valued at \$416.75, to the Shopping Center located at the 5725 SW 40 Street (northwest corner of S.W. 40th Street (Bird Road) and S.W. 57th Avenue (Red Road), neighboring Coral Gables in District 6. The County owns water infrastructure throughout the Shopping Center and the water facilities (over 60 years old) have been difficult for the Water and Sewer Department (WASD) to maintain due to the manner in which the Shopping Center has developed over the years.

According to the Appraisal Report, prepared for the Shopping Center, by Blazejack & Company, based on the examination and study made, it is their opinion that the Market Value of the Fee Simple Interest for this property, as of May 5, 2017 is zero (\$0) dollars. Blazejack & Company is a County-approved appraiser.

The Shopping Center is requesting the sale and transfer of ownership of the water facilities to facilitate connection to the County's system. The Shopping Center was the only bidder for the property and the facilities have no use or value to any person or entity other than the Shopping Center, LLC. WASD recommends approval of this sale and transfer of these water facilities.

**IUC Meeting: November 14, 2017
Research Notes**

Item No. 3M

File No. 172373

Researcher: NR Reviewer: TD

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION FOR NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENTS WITH SIX (6) CONSULTING FIRMS TO A.D.A. ENGINEERING, INC., CHEN MOORE AND ASSOCIATES, INC., HSQ GROUP, INC., PREMIERE DESIGN SOLUTIONS, INC., ROSS ENGINEERING, INC. AND SRS ENGINEERING, INC. TO PROVIDE ENGINEERING DESIGN AND RELATED SERVICES FOR THE DESIGN OF SMALL DIAMETER WATER AND WASTEWATER PIPELINES FOR THE WATER AND SEWER DEPARTMENT'S WATER AND WASTEWATER COLLECTION, TRANSMISSION AND DISTRIBUTION SYSTEMS (PROJECT NO. E15-WASD-03A), EACH PROFESSIONAL SERVICES AGREEMENT HAS A TOTAL COMPENSATION NOT TO EXCEED \$3,300,000.00 WITH A CONTRACT TERM OF SIX (6) YEARS AND ONE (1) TWO (2) YEAR OPTION-TO-RENEW; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS OF SECTION 2-8.2.12(4)(D) AND (E) OF THE CODE OF MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the award of six non-exclusive professional services agreements (PSAs) entitled Engineering Design and Related Services for the Design of Small Diameter Water and Wastewater Pipelines for the Water and Sewer Department's Wastewater and Water Collection, Transmission and Distribution System, Project No. E15-WASD-03A.

APPLICABLE LEGISLATION/POLICY

Section 2-8.2.12 of the Code of Miami-Dade County (Water and Sewer Department Consent Decree and Capital Improvement Programs Acceleration Ordinance) delegates authority to the County Mayor or County Mayor's designee to award capital improvement and consent decree projects that meet certain conditions. Any act undertaken pursuant to the authority set forth under the Acceleration Ordinance is subject to Board ratification.

Section 2-8.2.13 of County Code

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.12MIDEWASEDECODECAIMPRACOR

Implementing Order No. 3-32 sets forth the Community Business Enterprise Program for the Purchase of Professional Architectural, Landscape Architectural, Engineering or Surveying and Mapping Services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-32.pdf>

Ordinance 00-65, adopted by the Board on May 23, 2000, amended Section 2-8.1 of the County Code to provide requirements and procedures for dedicated allowances, contingency allowances and additional services allowances on County contracts involving the expenditure of more than \$500,000.

Ordinance 00-65

<http://intra/gia/matter.asp?matter=001521&file=false&yearFolder=Y2000>

**IUC Meeting: November 14, 2017
Research Notes**

Resolution No. R-187-12, dated February 21, 2012, directed the Mayor to include together with any recommendation for the award of any contract that exceeds one million dollars (\$1,000,000) a description of the due diligence investigation performed to determine the Contractor's responsibility, and to report to this Board in connection with those contracts any instance where such research revealed information which may adversely affect a finding of Contractor responsibility.

Resolution No. R-187-12

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2012/120287min.pdf>

PROCEDURAL HISTORY

Sponsored By: NONE

FISCAL IMPACT

Each PSA has a total compensation amount not to exceed \$3,300,000 for the six-year contract term plus the one, two-year renewal option. There are multiple funding sources for this project, such as Future WASD Revenue Bonds; WASD Revenue Bonds Sold; WASD Future Funding; Wastewater Renewal Fund; Miami Springs Wastewater Construction Fund; Water Special Construction Fund; Fire Hydrant Fund; Water Renewal and Replacement Fund; Water Connection Charges.

ANALYSIS

The purpose of this resolution is to approve a contract award recommendation for non-exclusive professional services agreements with six firms for Project No. E15-WASD-03A for the Miami-Dade County Water and Sewer Department (WASD). The six recommended firms are: 1) A.D.A. Engineering, Inc., 2) Chen Moore and Associates, Inc., 3) HSQ Group, Inc., 4) Premiere Design Solutions, Inc., 5) Ross Engineering, Inc., and 6) SRS Engineering, Inc.

Under the PSA, the firms will be required to deliver the following services: engineering services for utility design, including planning and permitting assistance during construction, for system upgrades to small water and sewer pipelines. The scope of services consist of complete engineering design services, including but not limited to, performing preliminary route analysis and site investigations, surveying, maintenance of traffic plans, hydraulic analysis, coordinating with other utilities, municipalities and the public, preparing design reports, preparing drawings and contract specifications, preparing design-build criteria packages, assisting during the permitting and procurement phases and engineering support during construction.

There are a total of eight identical PSAs being issued under Project No. E15-WASD-03A:

- six of the PSAs are being recommended for award to the Board through this agenda item; and
- Two other PSAs are being recommended for ratification to the Board as a separate agenda item.

According to Small Business Development Division's Compliance Review dated August 9, 2016 the eight firms satisfied the contract's 100% SBE/AE Aside and are in compliance with the small business measure established for this contract.

Under the Notice to Professional Consultants advertised on April 21, 2016, a total of eight PSAs were to be awarded. Of the eight PSAs to be awarded, two were awarded on July 27, 2017 under the County Mayor's delegated authority pursuant to WASD's Acceleration Ordinance. The two awards were made to Nova Consulting, Inc., and 300 Engineering Group, P.A. and are exempt from committee review.

IUC Meeting: November 14, 2017 Research Notes

Although the eight PSAs met the Code requirement for award pursuant to Section 2-8.2.12, this item recommends that these six awards undergo Committee review and received Board approval, rather than ratification, due to concerns raised by former Commissioner Betty T. Ferguson in an email dated May 2, 2017. In August 2017, the County responded to the questions raised by the former Commissioner. Her questions and the Mayor's responses have been summarized below.

1. The Commissioner questioned whether all the firms for the project were prequalified with experiences to perform the work of the contract. The County Mayor responded that all firms were found in compliance with the Small Business Enterprise Program measure assigned to the project as reviewed by the Small Business Development Division of the Internal Services Department. Additionally, all firms were prequalified in the applicable technical categories assigned to the project.
2. The Commissioner questioned whether no black-owned firms were selected in the current selection process even though five were pre-qualified. The County Mayor that the County is not allowed to consider race/ethnicity as a criterion for the selection process. The criteria utilized in selecting the firms included the following: Qualifications of Firms, Including the Team Members Assigned to the Project; Knowledge and Past Experience of Similar Type Projects; Past Performance of the Firms; Amount of Work Awarded and Paid by the County; Ability of the Team Members to Interface with the County.
3. The Commissioner questioned whether we can demand that the total number of contracts be increased to 16 and shared equally. The County Mayor responded that the project was advertised for eight Professional Services Agreements, and once the proposals are received, we are unable to change the number of firms. The proposal period ended on May 20, 2016. Exhibit B of the item is a list of small diameter pipeline projects that have been identified for Commission Districts 1-12. A significant portion of Commission District 13 is served by the City of Hialeah; the portion of District 13 that is within Miami-Dade Water and Sewer Department's service area is currently under review to identify any required improvements.
4. The Commissioner questioned the number of different black-owned construction firms that were awarded contracts Countywide as a Prime Contractor during fiscal years 2013 through 2016. The County Mayor responded that there were 50. There have not been any black-owned architectural and engineering firms awarded contracts as Prime consultants during fiscal years 2013 through 2016.
5. The Commissioner questioned how many black-owned local small business enterprises (SBEs-Construction) and (SBEs-A&E) have been awarded contracts. The County Mayor responded that fifty-five different black-owned construction firms were awarded subcontracts during fiscal years 2013 through 2016. There were also nine different architectural and engineering firms that were awarded contracts as sub-consultants during fiscal years 2013 through 2016.

Input from WASD

All eight PSAs are needed for the delivery of the solicited services because it was determined there was sufficient work to provide contracting opportunities to more than one (1) firm.

Two (2) of eight (8) the Professional Services Agreement were awarded under the Acceleration Ordinance on July 27, 2017. In August 2017, the County responded to concerns raised by former Commissioner Betty T. Ferguson regarding the County's prequalification and selection process for this project, Project No. E15-WASD-03A. As such, Board review and approval of the remaining six (6) professional service agreements is being requested to give the Board the opportunity to address any concerns raised by former Commissioner Betty T. Ferguson.

The allocation of \$3,300,000 for each PSA was based on the volume of pending projects. Work orders will be issued on a rotational basis among the selected firms. If the work to be performed requires a hard deliverable, the fee is

IUC Meeting: November 14, 2017
Research Notes

negotiated on a lump sum basis. If the work is not tied a hard deliverable, the negotiated fee will be compensated as time and materials.